

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:13-cv-00146-MR-DLH**

CAPITAL BANK, N.A.,)
)
Plaintiff,)
)
vs.)
)
BRIGHT'S CREEK LOT 71, LLC)
and SAMUEL LANCELOTTA,)
)
Defendants.)
)

O R D E R

THIS MATTER is before the Court *sua sponte*.

This matter was scheduled for trial on September 23, 2014. On the morning of trial, but prior to the commencement of jury selection, the parties announced to the Court that they had reached a settlement. The Court incurred a total of \$1,882.24 in costs in assembling the jury for the trial.

The Pretrial Order and Case Management Plan previously entered in this case provides as follows:

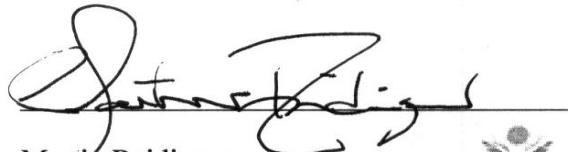
Whenever a civil action scheduled for a jury trial is settled or otherwise disposed of in advance of the actual trial, the Court may assess all jurors' costs,

including Marshal's fees, mileage reimbursement, and per diem fees, equally against the parties or otherwise may determine appropriate assessments unless the Clerk's Office is notified by 4:00 p.m. of the business day immediately preceding the Trial or the parties otherwise establish good cause why the Court should not assess jury costs against the parties.

[Doc. 8 at 11-12].

Accordingly, **IT IS, THEREFORE, ORDERED** that within fourteen (14) days of the entry of this Order, the parties shall pay to the Court the amount of \$1,882.24 in jury costs or otherwise establish in writing good cause why the Court should not assess such costs against the parties in this case.

IT IS SO ORDERED.



Martin Reidinger
United States District Judge

